

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

vs.

Criminal No. 05-10074-PBS

CHARLES CARRINGTON

APPLICATION FOR SERVICES OF DR. ERIC MART

Request is hereby made on behalf of Charles Carrington to allow the payment of expert fees for a psychologist in excess of the \$300.00 guideline.

Such request is based upon the Declaration of Mark W. Shea, counsel appointed for Charles Carrington, and all pleadings in the matter herein.

DECLARATION OF MARK W. SHEA

I, Mark W. Shea, do hereby declare as follows:

1. I am the attorney of record in the matter herein, appointed to represent Charles Carrington;
2. Mr. Carrington is charged with bank robbery;
3. In the course of preparing for the defense it had come to my attention that Mr. Carrington had severe cognitive difficulties, and may be mentally retarded, or borderline retarded;
4. The defense required a qualified psychologist to conduct the specialized cognitive tests to make the diagnosis of mental retardation;
5. I enlisted the services of Eric Mart, Ph.D., a board certified forensic psychologist who has extensive experience regarding assessment of people with cognitive disorders;
6. Dr. Mart's expertise has been used to assist the defendant at his sentencing in regards to possible downward departures, and regarding the competence of the defendant to have waived his *Miranda* rights;

7. At the current CJA rate, the \$300.00 guideline did not permit sufficient time for Dr. Mart's services;
8. This court previously approved the defendant's ex parte motions for funds for Dr. Mart to conduct an interview with Mr. Carrington and to draft a written evaluation (document #12 - \$1800, document #34 - \$2120, document #49 - \$2000, document #55 - \$1000, document #67 - \$1,600), and document #70 - \$2,500).
9. It was necessary for Dr. Mart to interview the defendant and testify in court in connection with this matter;
10. Dr. Mart testified in court on this matter on March 19, 2008;
11. Based on the above, counsel for defense requests fees up to \$400.00 to compensate Dr. Mart for reasonable travel expenses, and evaluation of the defendant, and testimony in court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11th day of April, 2008.

/s/ Mark Shea
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Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on April 11, 2008.

/s/ Mark W. Shea
MARK W. SHEA